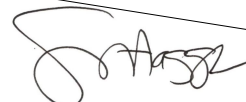


RECEIVED 4/1/2020

THE STATE OF NEW HAMPSHIRE
SUPERIOR COURT
ROCKINGHAM COUNTY

I, Jennifer M. Haggar, Clerk of the Superior Court of the State of New Hampshire for the County of Rockingham, the same being a court of record having a seal, and having custody of the records of the said Superior Court, do hereby certify that the attached are true copies of Complaint, Summons in a Civil Action, Return of Service and Notice to State Court of Removal of Civil Action in the action 218-2020-CV-00219 Joseph H. Duffin, II v. DXC Technology Services, LLC of said Superior Court.



Jennifer M. Haggar, Clerk of Court

March 31, 2020

In witness whereof I have hereunto set my hand
and affixed the seal of said Superior Court at
this 30th day of March A.D. 2020



Clerk of Superior Court

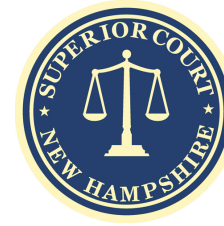
THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS

SUPERIOR COURT

218-2020-cv-00219

JOSEPH H. DUFFIN, II
10 Nottingham Road
Windham NH 03087



v.

DXC TECHNOLOGY SERVICES, LLC
1775 Tyson Blvd
Tysons VA 22102

True Copy Attest

Jennifer M. Haggar, Clerk of Court

March 30, 2020

NOTICE TO STATE COURT OF REMOVAL OF CIVIL ACTION

PLEASE TAKE NOTICE that on the 27th day of March 2020, Defendant DXC Technology Services, LLC filed a Notice of Removal, a copy of which is attached hereto, with the United States District Court for the District of New Hampshire. This case is now removed to the United States District Court for the District of New Hampshire.

Respectfully submitted on this 27th day of March, 2020.

/s/ Christopher Cole

Christopher Cole (NH Bar No. 8725)

SHEEHAN PHINNEY

1000 Elm Street, 17th Floor

Manchester, NH 03101

Phone: 603.668.0300

CCOLE@sheehan.com

/s/ Megan Carrier

Megan Carrier (NH Bar No. 20352)

SHEEHAN PHINNEY

1000 Elm Street, 17th Floor

Manchester, NH 03101

Phone: 603.627.8103
mcarrier@sheehan.com

ATTORNEYS FOR THE DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of March 2020, the foregoing was filed with the Clerk of Court through the Court's ECF system. A copy of the foregoing has also been sent to:

Jason R.L. Major
116 Lowell Street
Manchester, NH 03104
603-668-7272
JMajor@backusmeyer.com

/s/ Christopher Cole
Christopher Cole

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Rockingham Superior Court
Rockingham Cty Courthouse/PO Box 1258
Kingston NH 03848-1258

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>

SUMMONS IN A CIVIL ACTION



Case Name: **Joseph H Duffin, II v DXC Technology Services, LLC**
Case Number: **218-2020-CV-00219**

Date Complaint Filed: February 18, 2020

A Complaint has been filed against DXC Technology Services, LLC in this Court. A copy of the Complaint is attached.

The Court ORDERS that ON OR BEFORE:

April 10, 2020	Joseph H Duffin II shall have this Summons and the attached Complaint served upon DXC Technology Services, LLC by in hand or by leaving a copy at his/her abode, or by such other service as is allowed by law.
May 01, 2020	Joseph H Duffin II shall electronically file the return(s) of service with this Court. Failure to do so may result in this action being dismissed without further notice.
30 days after Defendant is served	DXC Technology Services, LLC must electronically file an Appearance and Answer or other responsive pleading form with this Court. A copy of the Appearance and Answer or other responsive pleading must be sent electronically to the party/parties listed below.

Notice to DXC Technology Services, LLC: If you do not comply with these requirements you will be considered in default and the Court may issue orders that affect you without your input.

Send copies to:

Jason R.L. Major, ESQ

Backus Meyer & Branch LLP 116 Lowell St PO Box 516
Manchester NH 03105-0516

DXC Technology Services,
LLC

1775 Tysons Blvd Tysons VA 22102

BY ORDER OF THE COURT

February 25, 2020

Jennifer M. Haggar
Clerk of Court

(126987)

True Copy Attest

Jennifer M. Haggar, Clerk of Court

March 30, 2020



**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Rockingham Superior Court
Rockingham Cty Courthouse/PO Box 1258
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Telephone: 1-855-212-1234
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<http://www.courts.state.nh.us>

**JOSEPH H DUFFIN II
INSTRUCTIONS FOR SERVICE
BY THE SHERIFF'S DEPARTMENT**

Case Name: **Joseph H Duffin, II v DXC Technology Services, LLC**
Case Number: **218-2020-CV-00219**

Instructions for: Joseph H Duffin II

The attached Summons must be sent to the Sheriff's Department for service. Service must be completed on or before **April 10, 2020**.

Further action is required by you

You must:

- **Print two copies of the Summons per defendant**
- **Print two copies of the Notice to Defendant per defendant**
- **Print two copies of the Complaint filed with the Court per defendant**
- **Make two packets for service. Each packet should contain:**
 - **One Summons**
 - **Once Notice for Defendant**
 - **One Complaint filed with the Court**
- **Mail or hand deliver the packets to the Sheriff's Department in the county where each defendant resides.**

Sheriff Departments in New Hampshire:

[Belknap County Sheriff's Department:](#)

[Carroll County Sheriff's Department:](#)

[Cheshire County Sheriff's Department:](#)

[Coos County Sheriff's Department:](#)

[Grafton County Sheriff's Department:](#)

[Hillsborough County Sheriff's Department:](#)

[Merrimack County Sheriff's Department:](#)

[Rockingham County Sheriff's Department:](#)

[Strafford County Sheriff's Department:](#)

[Sullivan County Sheriff's Department:](#)

If one or more of the parties resides out of state, please click [here](#) for the requirements

Service must be made upon the defendant before **April 10, 2020**.

If the Sheriff is unable to complete service by **April 10, 2020** you will receive a "Notice of Incomplete Service" from the Sheriff's Department. You may request that new paperwork be issued by electronically filing a Request for Documents. There is a fee for this request.

The Sheriff will mail the 'Return of Service' to you. You **MUST** electronically file the 'Return of Service' with the court by May 01, 2020.

If service is not made as directed, no further action will occur and the case may be dismissed by the court.

Important Service Information for Sheriff

Do not file this with the court

Provide this information to the Sheriff's Department.

See Instructions for Service for more information.

PLEASE PRINT CLEARLY

Date: _____

Case #: _____

Who are you requesting to be served?

Please provide whatever information you know

Name: _____

Address for service (no P.O. boxes):

_____ APT #: _____

Home phone #: _____ Cell phone #: _____

Sex: ☐ Male ☐ Female Race: _____

Last 4 digits of SS#: xxx-xx- _____ D.O.B. _____

Work name & address:

Special instructions for service (i.e. directions, best time to serve, cautions, etc.):

Vehicle description/license plate:

Your Information:

Name (please print): _____

Residential address:

Mailing address:

Phone number to contact you during business hours:

_____ Alternate #: _____

Signature

◆IN-HAND SERVICE WILL INCUR EXTRA COSTS DUE TO ADDITIONAL TRAVEL◆

SHERIFF OFFICE USE ONLY: (This will vary by Sheriff's Office)

Fees Paid: \$ _____ Cash #: _____ Check#: _____

Id#: _____ Waiver: _____ Money Order#: _____ Credit Card: _____

Sheriff File # _____ Authorization #: _____

Instructions for filing the Return of Service:

If you are working with an attorney, they will guide you on the next steps. If you are going to represent yourself in this action, go to the court's website: www.courts.state.nh.us, select the Electronic Services icon and then select the option for a self-represented party.

1. Select "I am filing into an existing case". Enter 218-2020-CV-00219 and click Next.
2. When you find the case, click on the link follow the instructions on the screen. On the "What would you like to file?" screen, select "File Other Document" and choose "Return of Service".
3. Scan the Return of Service packet and follow the instructions in the electronic filing program to upload the Return of Service to complete your filing.
4. If the sheriff was unable to serve the paperwork, you can request new paperwork by filing a Request for Documents. On the "What would you like to file?" screen, select "File Other Document" and choose "Request for Reissued Summons" from the menu and upload the Request for Documents form.

FAILURE TO FILE THESE DOCUMENTS MAY RESULT IN YOUR CASE BEING DISMISSED.

February 25, 2020
Date

Jennifer M. Haggart
Clerk of Court

You can access documents electronically filed through our Case Access Portal by going to <https://odypa.nhecourt.us/portal> and following the instructions in the User Guide. In that process you will register, validate your email, request access and approval to view your case. After your information is validated by the court, you will be able to view case information and documents filed in your case.

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

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Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>

NOTICE TO DEFENDANT

Case Name: **Joseph H Duffin, II v DXC Technology Services, LLC**
Case Number: **218-2020-CV-00219**

You have been served with a Complaint which serves as notice that this legal action has been filed against you in the **Rockingham Superior Court**. Review the Complaint to see the basis for the Plaintiff's claim.

Each Defendant is required to electronically file an Appearance and Answer 30 days after service. You may register and respond on any private or public computer. For your convenience, there is also a computer available in the courthouse lobby.

If you are working with an attorney, they will guide you on the next steps. If you are going to represent yourself in this action, go to the court's website: www.courts.state.nh.us, select the Electronic Services icon and then select the option for a self-represented party.

1. Complete the registration/log in process. Click Register and follow the prompts.
2. After you register, click Start Now. Select **Rockingham Superior Court** as the location.
3. Select "I am filing into an existing case". Enter **218-2020-CV-00219** and click Next.
4. When you find the case, click on the link and follow the instructions on the screen. On the "What would you like to file?" screen, select "File a Response to Civil Complaint". Follow the instructions to complete your filing.
5. Review your Response before submitting it to the court.

IMPORTANT: After receiving your response and other filings the court will send notifications and court orders electronically to the email address you provide.

A person who is filing or defending against a Civil Complaint will want to be familiar with the Rules of the Superior Court, which are available on the court's website: www.courts.state.nh.us.

Once you have registered and responded to the summons, you can access documents electronically filed by going to <https://odypa.nhecourt.us/portal> and following the instructions in the User Guide. In that process you will register, validate your email, request access and approval to view your case. After your information is validated by the court, you will be able to view case information and documents filed in your case.

If you have questions regarding this process, please contact the court at 1-855-212-1234.

ROCKINGHAM, SS

THE STATE OF NEW HAMPSHIRE

SUPERIOR COURT

Joseph H. Duffin, II
10 Nottingham Road
Windham NH 03087

218-2020-CV-00219

v.

DXC TECHNOLOGY SERVICES LLC
1775 Tysons Blvd
Tysons, VA 22102



True Copy Attest

Jennifer M. Hagggar, Clerk of Court

March 30, 2020

COMPLAINT**I. Parties**

1. The plaintiff, Joseph H. Duffin, II, is a resident of the State of New Hampshire, with an address of 10 Nottingham Road, Windham, New Hampshire 03087.

2. The Defendant, DXC Technology Services LLC, is a Delaware Corporation with a principal place of business located at 1775 Tysons Boulevard, Tyson, VA 22102. The defendant's registered agent for service is Corporate Creations Network, Inc., located at 3 Executive Park Drive 201A, Bedford, NH, 03110.

II. Jurisdiction & Venue

3. This Court has jurisdiction over the subject matter of this action pursuant to RSA 491:7.

4. Venue is proper in Rockingham County because the plaintiff resides within Rockingham County.

III. Facts

5. The plaintiff, Joseph Duffin (hereinafter "Duffin"), worked as a sales representative for the defendant, DXC Technology Services, LLC (hereinafter "DXC"), from December of 2018 until February 28, 2020.

6. As a sales representative, Duffin was eligible for commissions and bonuses under a “Sales Incentive Compensation Plan” (“SICP”).

7. In late 2018, Duffin played a crucial role in closing an 8-figure sales deal for DXC.

8. Under the terms of the applicable SICP, Duffin earned a 6-figure sales commission. Emails and other documents confirm that Duffin was the “owner” of the deal for purposes of determining his eligibility for a commission under the SICP.

9. Despite clearly being entitled to a significant commission as a result of his successful closing of the 8-figure deal, DXC’s Finance Department determined that the compensation earned by Duffin would not be paid to him.

10. Upon information and belief, DXC’s Finance Department has denied other employees commissions and bonuses that they earned and are entitled to, simply to save DXC money and improve its stock performance.

11. The plaintiff seeks full payment of the compensation he earned and is owed, and all other remedies available to him under RSA 275 including, but not limited to, liquidated damages and attorneys’ fees.

COUNT I – WAGE CLAIM – RSA 275

12. The plaintiff re-alleges and incorporates herein by reference all of the allegations set forth above.

13. The plaintiff earned a sales commission pursuant to the terms of a written compensation plan that DXC entered into with the plaintiff.

14. DXC has refused and failed to pay the total amount of that bonus, without any legally sufficient good cause.

15. The plaintiff seeks an order requiring the defendant to pay the total amount of the bonus owed to him under the terms of DXC's Sales Incentive Compensation Plan.

16. The plaintiff also seeks liquidated damages pursuant to RSA 275:43, IV, owing the defendants' willful failure to pay the total amount of wages due, and recovery of his attorneys' fees pursuant to RSA 275:53, III. See Ives v. Manchester Subaru, 126 N.H. 796, 801-04 (1985).

WHEREFORE, the plaintiff respectfully requests that the Honorable Court:

- A. Schedule this matter for trial;
- B. At the conclusion of trial, enter judgment for the plaintiff for the amount of unpaid wages owed to him;
- C. Award the plaintiff liquidated damages pursuant to RSA 275:43, IV;
- D. Award the plaintiff his reasonable attorneys' fees pursuant to RSA 275:53, III; and
- E. Grant such other and further relief as the Court deems just and equitable.

Respectfully submitted,

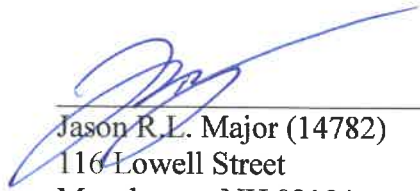
JOSEPH H. DUFFIN, II

By his attorneys,

BACKUS, MEYER
& BRANCH, LLP

Dated: February 18, 2020

By



Jason R.L. Major (14782)
116 Lowell Street
Manchester, NH 03104
(603) 668-7272
JMajor@backusmeyer.com

HILLSBOROUGH COUNTY SHERIFF'S OFFICE
329 MAST ROAD
GOFFSTOWN, NH 03045

RETURN OF SERVICE

218-2020-CV-00219

SHERIFF WRIT 20-1864-CP
ROCKINGHAM COUNTY SC


JOSEPH H. DUFFIN, II V. DXC TECHNOLOGY SERVICES, LLC

02/28/2020

I SUMMONED THE WITHIN NAMED DXC TECHNOLOGY SERVICES, LLC
BY GIVING IN HAND TO CYNTHIA COLBURN, PRESIDENT OF CORPORATE CREATIONS THE
REGISTERED AGENT FOR THE WITHIN NAMED, BEING AT 3 EXECUTIVE PARK DR
BEDFORD, NH, AN ATTESTED COPY OF THIS SUMMONS AT 02:39pm.


DEPUTY SHERIFF TYLER F BURKE

True Copy Attest


Jennifer M. Haggart, Clerk of Court
March 30, 2020



**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Rockingham Superior Court
Rockingham Cty Courthouse/PO Box 1258
Kingston NH 03848-1258

Telephone: 1-855-212-1234
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SUMMONS IN A CIVIL ACTION



Case Name: **Joseph H Duffin, II v DXC Technology Services, LLC**
Case Number: **218-2020-CV-00219**

Date Complaint Filed: February 18, 2020

A Complaint has been filed against DXC Technology Services, LLC in this Court. A copy of the Complaint is attached.

The Court ORDERS that ON OR BEFORE:

April 10, 2020	Joseph H Duffin II shall have this Summons and the attached Complaint served upon DXC Technology Services, LLC by in hand or by leaving a copy at his/her abode, or by such other service as is allowed by law.
May 01, 2020	Joseph H Duffin II shall electronically file the return(s) of service with this Court. Failure to do so may result in this action being dismissed without further notice.
30 days after Defendant is served	DXC Technology Services, LLC must electronically file an Appearance and Answer or other responsive pleading form with this Court. A copy of the Appearance and Answer or other responsive pleading must be sent electronically to the party/parties listed below.

Notice to DXC Technology Services, LLC: If you do not comply with these requirements you will be considered in default and the Court may issue orders that affect you without your input.

Send copies to:

Jason R.L. Major, ESQ

DXC Technology Services,
LLC

Backus Meyer & Branch LLP 116 Lowell St PO Box 516
Manchester NH 03105-0516
1775 Tysons Blvd Tysons VA 22102

BY ORDER OF THE COURT

February 25, 2020

(126987)

Jennifer M. Haggar
Clerk of Court

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Rockingham Superior Court
Rockingham Cty Courthouse/PO Box 1258
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THE STATE OF NEW HAMPSHIRE
ROCKINGHAM, SS SUPERIOR COURT

Joseph H. Duffin, II
10 Nottingham Road
Windham NH 03087
v.

218-2020-CV-00219

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- C. Award the plaintiff liquidated damages pursuant to RSA 275:43, IV;
- D. Award the plaintiff his reasonable attorneys' fees pursuant to RSA 275:53, III; and
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Respectfully submitted,

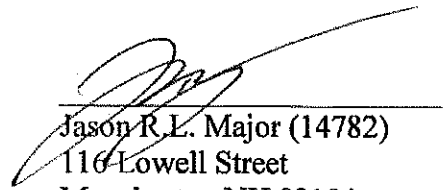
JOSEPH H. DUFFIN, II

By his attorneys,

BACKUS, MEYER
& BRANCH, LLP

Dated: February 18, 2020

By



Jason R. L. Major (14782)
116 Lowell Street
Manchester, NH 03104
(603) 668-7272
JMajor@backusmeyer.com